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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: ZICHE1

In re Application of:) Conf. No.: 5690
Marina ZICHE et al) Art Unit: 1653
Appln. No.: 09/756,185) Examiner: R. Mitra
Filed: January 9, 2001) Washington, D.C.
For: COMPOUND B' AS ANGIOGENIC) May 17, 2004
AGENT IN COMBINATION WITH)
HUMAN GROWTH FACTORS)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated December 17, 2003, of the Primary Examiner. The claims appealed are claims 3, 4, 6, 10-25.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

The fee has been calculated as shown below:

\$330.00

\$165.00 (small entity)

Not required (fee paid in prior appeal)

Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

First - \$ 55.00
 Second - \$210.00
 Third - \$475.00
 Fourth - \$740.00
month after time period set

Other Than Small Entity
Response Filed Within

First - \$ 110.00
 Second - \$420.00
 Third - \$ 950.00
 Fourth - \$1480.00
month after time period set

Less fees (\$_____) already paid for ___ months extension of time on ____.

A check in the amount of \$_____ is attached. (Check No. _____)

Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 750.00.

Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

05/18/2004 HDEMESS1 00000049 09756185

01 FC:1401
02 FC:1252

330.00 0P
420.00 0P

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
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